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PLEASE REPLY TO:
New York City Office

August 21, 2009

The Honorable Nicholas G. Garaufis
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East - Room 659
Brooklyn, New York 11201

Re: U.S.A. vs. City
Civil Action No.: 07-cv-2067 (NGG) (RLM)

Dear Judge Garaufis:

I am writing on behalf of proposed intervenor, the Uniformed Firefighters Association ("UFA"), in response to the letters sent to the Court by counsel for the United States and counsel for the plaintiffs-intervenors (hereinafter collectively "plaintiffs"), both dated August 18, 2009, expressing their views regarding the UFA's motion to intervene as a party-defendant in the remedy phase of this matter. Those letters concede the right of the UFA to intervene in the remedy phase with regard to retroactive "competitive" seniority.

The UFA's request to intervene is solely for the purpose of protecting the rights of incumbent firefighters in connection with any remedy ordered or approved by the Court. As such, the UFA has no intention of re-litigating liability issues in this matter, nor opposing retroactive "benefits" seniority as defined by the August 18, 2009 letters.

With regard to the comments by counsel about the merits of any opposition to the relief sought by plaintiffs, they will be addressed by the UFA during the remedy phase.

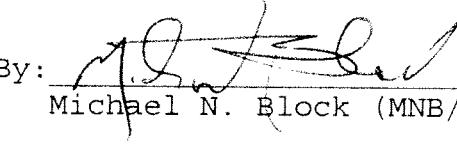
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Accordingly, the UFA submits that there is no opposition to its request for intervention in the remedy phase of this case to protect the competitive seniority rights of its members.

Respectfully yours,

SULLIVAN PAPAIN BLOCK
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By: 
Michael N. Block (MNB/0957)

MNB:law

cc: Magistrate Roanne L. Mann
Service List

(UF-068518)